

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number**

0800-M449

**Case Title:**

Abound Solar, Inc.

**Reporting Office:**

Denver, CO, Area Office

**Subject of Report:**

Interview of (b) (6), (b) (7)(C).

**Activity Date:**

September 14, 2012

**Reporting Official and Date:**

(b) (6), (b) (7)(C)

Special Agent

20-SEP-2012, Signed by: (b) (6), (b) (7)(C)

**Approving Official and Date:**

(b) (6), (b) (7)(C)

Acting Special Agent in Charge

20-SEP-2012, Approved by: (b) (6), (b) (7)(C)

Acting Special Agent in Charge

**SYNOPSIS**

On September 14, 2012, Special Agent (SA) (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) regarding his inspection of the Abound Solar, Inc. (Abound) facility located in Longmont, Colorado.

**DETAILS**

On September 14, 2012, SA (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C), Environmental Protection Specialist for the Environmental Protection Agency (EPA) Region 8, regarding (b) (6), (b) (7)(C) inspection of the Abound facility located in Longmont, Colorado. The interview took place at the EPA office building located at 1595 Wynkoop Street, Denver, Colorado, 80202.

After the reporting Agent identified himself by presentation of (b) (6), (b) (7)(C) credentials and discussed the nature of the interview, (b) (6), (b) (7)(C) provided the below summarized information:

(b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C) has worked for the Resource Conservation and Recovery Act (RCRA) Compliance Program for EPA Region 8 since June 1982. (b) (6), (b) (7)(C) related that (b) (6), (b) (7)(C) attended the University of Colorado and obtained (b) (6), (b) (7)(C) Bachelors and Masters Degrees in environmental conservation, and planning and community development, respectively.

On March 2, 2010, (b) (6), (b) (7)(C), Inspector for the Colorado Department of Public Health and Environment Hazardous Waste Program, conducted a compliance evaluation inspection of the Abound facility in Longmont, Colorado, and issued the facility a Compliance Advisory. (b) (6), (b) (7)(C) related that on February 3, 2011, (b) (6), (b) (7)(C) conducted an oversight inspection with (b) (6), (b) (7)(C) at Abound's Longmont facility, which was located on the I-25 East Frontage Road. (b) (6), (b) (7)(C) related that during the time of (b) (6), (b) (7)(C) inspection the Abound facility was a large quantity generator of hazardous wastes. (b) (6), (b) (7)(C) could not recall any issues regarding the inspection, but remembered that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) met with Abound representatives (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) stated that one of the Abound representatives that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) met with was a (b) (6), (b) (7)(C) to another employee of Abound.

(b) (6), (b) (7)(C) recalled that during the February 3, 2011, inspection, (b) (6), (b) (7)(C) reviewed documents that indicated that Abound sent their flammable wastes to Clean Harbors in Kimble, Nebraska. (b) (6), (b) (7)(C) related that the Clean Harbors facility in Kimble, NE had an incinerator. (b) (6), (b) (7)(C) also recalled that Abound sent their universal wastes, cadmium contaminated broken glass, and used oil to the Clean Harbors facility in Deer Trail, Colorado. (b) (6), (b) (7)(C) advised that Abound had three 90-day storage areas, 13

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satellite accumulation areas, and two rover (mobile) satellite accumulation sites. (b) (6), (b) (7)(C) related that Abound had rinse water that “leaned acidic” with a pH of 2.0, D006 waste, and had a zero discharge permit to the publicly owned treatment works [Investigator’s note: D006 is the toxic characteristic waste code for cadmium under 40 C.F.R § 261.24]. (b) (6), (b) (7)(C) informed the reporting Agent that Abound would have to coordinate with the State of Colorado if the company wanted to make any changes to their RCRA program.

(b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) State of Colorado was granted primacy for the base hazardous waste program in November or December of 1984, and that an Enforcement Agreement was made between the State and EPA (attachment). SA (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) about the provisions under 40 C.F.R § 261.4 (a) (8) i-iv, and (b) (6), (b) (7)(C) replied that a facility must meet all of the conditions outlined in the regulation (i.e., 40 C.F.R § 261.4 (a) (8) i-iv), in order to be granted an exclusion under RCRA.

**ATTACHMENT**

Memorandum of Agreement between EPA and the State of Colorado.

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